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**Attorneys for Plaintiff**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
**PORTLAND DIVISION**

**MICHAEL HETHERINGTON**,  
Individually and on Behalf of the Class,  
  
Plaintiff,

CIVIL ACTION NO. 3:13-cv-2152-SI

**PLAINTIFF'S UNOPPOSED  
MOTION FOR LEAVE TO FILE  
SUPPLEMENTAL MEMORANDUM  
IN SUPPORT OF MOTION FOR  
FINAL APPROVAL**

**OMAHA STEAKS, INC., and  
OMAHA STEAKS  
INTERNATIONAL, INC.**

**CLASS ACTION ALLEGATION**

Defendants.

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**LR 7-1 CERTIFICATION**

In compliance with Local Rule 7-1(a), the parties, through their respective counsel, conferred on July 29, 2016. Defendants Omaha Steaks, Inc. and Omaha Steaks International, Inc. do not oppose this Motion.

**MOTION**

NOW INTO COURT, through undersigned counsel, comes Plaintiff PATRICK HETHERINGTON, as personal representative of the Estate of Michael Hetherington, individually and on behalf of the Class, who hereby moves this Honorable Court to grant this Unopposed Motion for Leave to File a Supplemental Memorandum in Support of the Motion for Final Approval of Settlement Agreement (Dkt. 117).

As previously reported to the Court, Michael Hetherington passed away on May 27, 2016. His brother, Patrick Hetherington, has been appointed as personal representative of his estate. Class Counsel has filed a motion to substitute Patrick Hetherington as a party plaintiff pursuant to F.R.C.P. Rule 25. Upon consultation with Patrick Hetherington, and considering the dispute regarding the class representative service award sought in this matter, Class Counsel has been authorized to supplement the motion and reduce the request for a class representative service award to \$10,000.00.

Plaintiff seeks leave of Court to file a Supplemental Memorandum in Support of the Motion for Final Approval in order to reduce the requested class representative service award. Omaha Steaks has no objection to this request for leave.

**PLAINTIFF'S UNOPPOSED MOTION  
FOR LEAVE TO FILE SUPPLEMENTAL  
MEMORANDUM IN SUPPORT OF MOTION  
FOR FINAL APPROVAL-1**

RESPECTFULLY SUBMITTED:

BY: /s/ Christopher K. Jones

**John P. Wolff, III** (admitted *Pro Hac Vice*)

**Christopher K. Jones** (admitted *Pro Hac Vice*)

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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of July, 2016, a copy of the foregoing Unopposed Motion for Leave to File Supplemental Memorandum in Support of Motion for Final Approval was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the court's electronic filing system.

/s/ Christopher K. Jones

CHRISTOPHER K. JONES